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May 7, 2024

VIA ECF

Hon. Paul A. Engelmayer
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Courtroom 1305
New York, New York 10007

Re: *Carlyle Aviation Management Limited, et al. v. Frontier Airlines, Inc.*, No. 1:23-cv-04774 (PAE) (S.D.N.Y.)

Dear Judge Engelmayer:

We are the attorneys for Plaintiffs in the above-captioned action. Pursuant to Your Honor's Individual Practices Rule 1.E., we write on behalf of the parties to request that the Court approve a 60-day extension of the deadline to complete fact discovery, from May 22, 2024, to July 22, 2024. This is the parties' third request for an extension of the deadlines set forth in the Revised Civil Case Management Plan and Scheduling Order, entered on February 20, 2024 (ECF No. 79) (the "Case Management Plan"). A Revised Civil Case Management Plan and Scheduling Order is attached hereto as **Exhibit A**.¹

There is good cause to grant the requested extension. Following the Court's February 20, 2024 order, the parties continued making rolling productions of documents, though the parties' collection and review of documents has required more time than initially anticipated. Additionally, during this time, Plaintiffs served Interrogatories and Requests to Admit in a timely manner. Plaintiffs have also noticed six depositions of Frontier employees and agents and one third-party deposition, one of which was taken on April 30, 2024. The scheduling of depositions of Frontier employees was delayed due to the trial schedule in *Frontier Airlines, Inc. v. AMCK Aviation, et al.*, No. 1-20-cv-09713-LLS, which was conducted from April 8 to April 19, 2024. Defendant has also noticed six depositions of certain Plaintiffs' employees and agents. The parties had scheduled these depositions, but were required to postpone them due to several factors, including a recently-discovered issue with Plaintiffs' production of documents (which Plaintiffs promptly disclosed to

¹ The parties in the related action, No. 22-cv-02943 (PAE), plan to file a request seeking revisions to the discovery schedule that correspond to any schedule approved by the Court in this action.

Defendant and are working to resolve), and efforts to coordinate discovery with counsel in the Related Action.

In light of the foregoing, counsel for the parties believe that there is good cause to extend the current case management deadlines in this case. The parties agree that the requested extension will not unduly delay this case nor operate as a prejudice against any of the parties.

Set forth in the chart below are the current case management deadlines, pursuant to Civil Case Management Plan and Scheduling Order entered on February 20, 2024, and counsel's jointly-proposed revised deadlines:

<u>Event</u>	<u>Current Deadline</u>	<u>Revised Deadline</u>
Fact Discovery Cut-Off	May 22, 2024	July 22, 2024
Fact Depositions to be Completed By	May 22, 2024	July 22, 2024
Expert Discovery Cut-Off	August 7, 2024	October 7, 2024

We thank the Court for its attention to this matter and are available at the Court's convenience if it has any questions regarding this joint request.

Respectfully submitted,

/s/ Jed M. Schwartz

Jed M. Schwartz

cc: All Counsel of record (via ECF)
Jeff Butler, Esq. (via email)